

Incorporation/Annexation Status Report As of December 15, 2005

Municipal Advisory Committees

Biscayne Gardens

The Biscayne Gardens Municipal Advisory Committee (MAC) is currently in the process of developing the MAC's pro-forma budget. Upon completion of the budget, the MAC will have the required public hearing. The MAC's budget will be reviewed by a financial consultant as required by resolution R-130-05.

Fisher Island

The MAC met on November 9 and November 30, 2005. The main issue being discussed is the privacy of the island if it were to incorporate. Many residents attended the November 9, 2005 meeting to speak against incorporation if the privacy of the island would be lost. The MAC has requested a written opinion from the County Attorney in regards to the privacy issue. The next MAC meeting will be on January 18, 2006.

Fontainebleau

The proposed incorporation of Fontainebleau was heard before the Planning & Advisory Board (PAB) on January 10, 2005. The PAB recommended denial (unanimously) of the proposed incorporation. The Fontainebleau MAC budget will be reviewed by a financial consultant as required by resolution R-130-05. Once reviewed, the item will be forwarded to the Board of County Commissioners (BCC).

Goulds

The MAC met on November 8, 2005 and December 13, 2005. Team Metro made its presentation on November 8 and Public Works on December 13 to inform the MAC about the services that each provides. The MAC has chosen not to meet again until it has further information regarding its boundary dispute.

North Central Dade

The proposed incorporation item was heard by the PAB on December 6, 2004. The PAB recommended denial (unanimously) of the proposed incorporation. The North Central Dade MAC budget will be reviewed by a financial consultant as required by resolution R-130-05. Once reviewed, the item will be forwarded to the BCC.

Northeast Dade

The Northeast Dade MAC proposed incorporation item was heard by the Boundaries Commission (BC) on March 23, 2005. The BC recommended approval of the item 6 votes to 1. The PAB meeting scheduled on June 6, 2005, was cancelled due to a lack of quorum. The follow up meeting was held on August 8, 2005 and the PAB recommended approval of the item 5 votes to 1. The Northeast Dade MAC budget will be reviewed by a financial consultant as required by resolution R-130-05. Once reviewed, the item will be forwarded to the BCC.

PLANT (Princeton, Leisure City, and Naranja)

The PLANT MAC (PMAC) met on September 16, 2004 and discussed their pro-forma budget. The PMAC decided not to meet again until they had more information from the Florida Conflict Resolution Consortium (FCRC) concerning their desire to expand its boundaries.

Redland

The Redland MAC (RMAC) had their last meeting on January 22, 2004. The major discussion item was Commissioner Sorenson and Commissioner Moss' resolution. The RMAC has conflicts with Goulds and PLANT concerning the boundaries and is currently in negotiations with the FCRC.

Annexations

Davis Ponce

On May 10, 2005, the Davis Ponce annexation application had a public hearing before the Infrastructure and Land Use Committee (INLUC); at which time, the public hearing on the application was deferred to a non-specified date.

Doral

The Doral application went before the BCC on September 9, 2004. The BCC did not accept the application. The Board gave the Manager 120 days to mediate mutually agreeable boundaries with Virginia Gardens, Medley, and Miami Springs. The cities last met with County staff on August 17, 2005 but no agreements were reached. The cities will meet without County staff prior to the next mediation meeting.

Florida City (Area C1)

The Florida City "C1" application was approved by the BCC on June 7, 2005. The Mayor vetoed the vote but the veto was overridden by the BCC on June 21, 2005. The interlocal agreement, accommodating the boundary change while maintaining County control over development outside of the Urban Development Boundary, was approved by the Infrastructure and Land Use Committee on December 13, 2005.

Florida City (Area F)

The Florida City Area “F” annexation application was accepted by the BCC on June 7, 2005. County departments have submitted their comments to the proposed annexation. The report is being prepared for the County Manager’s approval and submission to the Planning Advisory Board.

Homestead

The City of Homestead annexation item was presented to the PAB on March 7, 2005. The members recommended approval of the proposed annexation, 4 votes to 3. The annexation item will have a public hearing at INLUC. The public hearing has not been scheduled.

Medley

The Medley application went before the BCC on September 9, 2004. The BCC did not accept the application. The Board gave the Manager 120 days to mediate mutually agreeable boundaries with Doral, Virginia Gardens, and Miami Springs. The cities last met with County staff on August 17, 2005 but no agreements were reached. The cities will meet without County staff prior to the next mediation meeting.

Miami Shores

The Annexation/Incorporation Committee of the PAB recommended approval of the Miami Shores application at their June 27, 2005 meeting. Also on that date, the full PAB was unable to consider the application due to a lack of quorum. The item was re-scheduled for consideration on September 12, 2005. The PAB recommended approval of the item 5 votes to 1.

Miami Springs

The Miami Springs application went before the BCC on September 9, 2004. The BCC did not accept the application. The Board gave the Manager 120 days to mediate mutually agreeable boundaries with Doral, Virginia Gardens, and Medley. The cities last met with County staff on August 17, 2005 but no agreements were reached. The cities will meet without County staff prior to the next mediation meeting.

North Miami

An annexation application from the City of North Miami for area “A” was accepted by the BCC on October 18, 2005. The application will be forwarded to the appropriate County departments for review.

North Miami Beach

The City of North Miami Beach submitted its application for annexation to the Miami-Dade County Clerk of the Board on May 9, 2005. OSBM reviewed the application and found it incomplete. The City has been notified and upon completion of the application will transmit the information to OSBM. Once complete, the application will be forwarded to the appropriate County departments for review.

Sweetwater

On December 6, 2005 the BCC adopted Ordinance 05-213 changing the boundaries of the City of Sweetwater contingent to the execution of an interlocal agreement in which the City agrees to pay an annual mitigation payment to the Municipal Services Trust Fund based on the future growth of the CBI area. Additionally, the Board adopted Resolution R-1352-05 calling for a special election on Tuesday, March 7, 2006, for the purpose of submitting to qualified electors residing within the proposed annexation boundaries the question of whether the area should be annexed to the City of Sweetwater.

Virginia Gardens

The Virginia Gardens application was accepted by the BCC on September 23, 2003. On September 9, 2004, The Board gave the Manager 120 days to mediate mutually agreeable boundaries with Doral, Medley, and Miami Springs. The cities last met with County staff on August 17, 2005 but no agreements were reached. The cities will meet without County staff prior to the next mediation meeting.

Transition Cities

Cutler Ridge

Pursuant to Ordinance 05-166 and Resolution R-962-05, a special election was called for November 8, 2005 at which registered voters residing within the boundaries of the proposed municipality formerly known as Cutler Ridge voted on the following questions: (1) Shall the charter proposed by the Cutler Ridge Charter Commission be adopted as the Municipal Charter for the area currently known as Cutler Ridge? (2) Shall the proposed municipality currently known as Cutler Ridge be named the Town of Cutler Ridge? (3) Shall the proposed municipality currently known as Cutler Ridge be named the Town of Cutler Bay? At the November 8, 2005 election the voters adopted the Charter and the name of the Town of Cutler Bay.

Doral

The following items were heard by the BCC on September 8, 2005: Resolution authorizing the exemption of the City of Doral from the provisions of the Miami-Dade County Stormwater Utility ordinance, resolution authorizing the execution of an interlocal agreement between the City of Doral and the Miami-Dade County Stormwater Utility for stormwater management, and resolution approving execution of agreement with the City

of Doral for billing of stormwater utility charges by Miami-Dade Water and Sewer Department. All items were approved by the BCC.

Miami Gardens

The Interlocal Agreement governing the distribution of Communications Services Tax (CST) was approved by the BCC on June 21, 2005. Miami-Dade County has remitted payment to the City for CST receipts submitted through September 2005.

Miami Lakes

An extension to the original three year contract for local police patrol services has been negotiated with The Town of Miami Lakes. The Town Council is considering the extension.

Palmetto Bay

The Village of Palmetto Bay Council voted on a resolution to withdraw its dispute with the County concerning the amount of mitigation owed for fiscal year 2003-04. The resolution also accepted the County's method of calculating the mitigation amount; the full \$1,455,000 due to the County for fiscal year 2003-04 has been received.

Additional Information

Redland Petition

The BCC deferred consideration of this petition for incorporation at their December 14, 2004 meeting. The petition was received by the Clerk of the Board on May 17, 2004 and has been certified by the Elections Department. No date certain was established by the board for future consideration of the petition.

In January 2005, a suit was filed in the 11th Circuit Court, case #05-943CA-05, between Patricia Wade, The Friends of Redland, Inc (Plaintiffs) vs. Miami-Dade Board of County Commission (Defendant). In May 2005, the Court granted a final judgment in favor of the Defendant and against the Plaintiffs. Since then the Plaintiffs have filed an appeal.